UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,332	10/14/2003	Robert S. Kolman	10030540-1	7202

7590	04/13/2005

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EXAMINER
BUI, BRYAN

ART UNIT	PAPER NUMBER
2863	

DATE MAILED: 04/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _14 October 2003_.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-18_ is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) _1-3, 5-16 and 18_ is/are rejected.
7) ☒ Claim(s) _4 and 17_ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
         application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-3, 5-16, and 18 are rejected under 35 U.S.C. 102(e) as being

anticipated by Krech, Jr. et al (hereafter Krech) US 6,779,140.

Wit respect to claim 1, Krech teach a system with algorithmically programmable

memory tester with test sites operating in a slave mode (title) comprising a local

controller (site controller) having control mode (executes test program) to control testing

of a device and to initiate one or more test instruction (program task of testing) to be

applied to the device (figure 1, blocks 4a, 6a), and when in the slave mode, to pass

through a remote test instrument (Test system controller through system bus in figure 1,

blocks 2 and 3, 5a); and tester (figure 1 block 6a and detail of tester in figure 2)

communicatively coupled to the local controller (site controller) to apply one of the one

or more test instructions and the remote test instruction to the device (tester of figure 2,

item 5 from test site controller and test site bus, and through blocks 19, 22, 24).

With respect to claims 2-3, Krech teach the remote controller communicatively

coupled to the local controller, to control testing of the plurality of devices when the local

controller is in the slave mode (title and figures 1, 3, and 6), and further pass through result of the remote test instruction to the remote controller (figure 2, item 5 from test site controller and test site bus, and through blocks 19, 22, 24; and figure 6).

With respect to claims 5-9, Kerch teach memory, communicatively coupled to the local controller, to receive the remote test instruction from the remote controller (figure 2, from item 5 to blocks 19, 20, 21); wherein the local controller is further to obtain the remote test instruction from the memory; detecting the presence of the remote test instruction; switches from the control mode to the slave mode, and wherein the tester comprises a system-on-a-chip tester (figure 2, block and items 20, 21, 22, 31A, 31B, 42).

With respect to claim 10, Kerch teach detecting a remote instruction received from a remote controller (figure 2, item 5 through bus controller 88, ring bus, microcontroller to detect remote instruction 22); upon detecting the remote test instruction, switching from a control mode, to control testing of a device, to a slave mode to pass through the remote test instruction to a tester (title, figures 1, 3, 6).

With respect to claims 11-15, Kerch teach passing through the remote test instruction to a tester; applying the remote test instruction to the device; and applying test instruction to a system-on-chip-the remote, and passing through a result of the remote test instruction to the remote controller, compiling the result with plurality of additional results passed through to the remote controller (figure 1, items 2, 3, 4a, and figure 2, item 5 from test site controller and test site bus, and through blocks 19, 22, 24; and figure 6, column 15, lines 10-25).

With respect to claims 16 and 18, Kerch teach wherein detecting a remote test instruction comprises polling a memory shared with the remote controller, and detecting a test instrucxtion to be applied to a system-on-a-chip (column 11, line 39 to column 12, line 18, figure 2, block and items 20, 21, 22, 31A, 31B, 42).

Allowable Subject Matter

3.   Claims 4 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

4.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryan Bui whose telephone number is 571-272-2271. The examiner can normally be reached on M-Th from 7am-4pm, and Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Barlow can be reached on 571-272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

BB

4/11/2005

BRYAN BUI
PRIMARY EXAMINER